



AUG 10 2004

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CC

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/814,392	03/31/2004	Gerald L. Dybsetter	15436.330.1

022913  
WORKMAN NYDEGGER (F/K/A WORKMAN NYDEGGER & SEELEY)  
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CONFIRMATION NO. 5366  
FORMALITIES LETTER  
  
\*OC00000012937297\*

Date Mailed: 06/14/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

08/11/2004 FFANAI2 00000032 10814392

02 FC:1051

130.00 DP

N. Mohammed

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Express Mailing Label No. EV 510294648 US

PATENT APPLICATION

Docket: 15436.330.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Gerald L. Dybsetter et al. )  
Serial No.: 10/814,392 )  
Confirmation No.: 5366 )  
Filed: March 31, 2004 )  
For: Contingent Processor Time Division )  
Multiple Access Of Memory In A )  
Multi-Processor System To Allow )  
Supplemental Memory Consumer )  
Access )  
Customer No.: 022913 )

CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. § 1.10

I hereby certify that the following documents are being deposited with the United States Postal Service as Express mail, postage prepaid, in an envelope addressed to: Mail Stop Missing Parts, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 9th day of August 2004:

- Response to Notice to File Missing Parts of Application (3 pgs.) (in duplicate)
- Declaration, Power of Attorney, and Petition (4 pgs.)
- Assignment with Form PTO-1595 (5 pgs.)
- Copy of Notice to File Missing Parts of Application - Filing Date Granted (1 page)
- Form PTO-2038 submitting Credit Card Payment in the amount of \$170.00
- Postcard

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Adrian J. Lee".

ADRIAN J. LEE  
Attorney for Applicant  
Registration No. 42,785  
Customer No. 022913

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PATENT APPLICATION  
Docket: 15436.330.1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gerald L. Dybsetter et al.)

Serial No.: 10/814,392 )

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### RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Sir:

In response to the Notice to File Missing Parts of Application mailed June 14, 2004, please find enclosed herewith the following items for filing in the United States Patent and Trademark Office in connection with the above-identified patent application:

- X A Declaration, Power of Attorney, and Petition executed by the inventors Gerald L. Dybsetter and Jayne C. Hahn.

- An Assignment conveying the invention to Finisar Corporation, including a Form PTO-1595 recordation cover sheet.
- A Declaration Claiming Small Entity Status Pursuant to 37 C.F.R. § 1.9 and § 1.27.
- The present application claims entitlement to Small Entity Status under 37 CFR §§ 1.9 and 1.27
- A copy of the Notice to File Missing Parts of Application - Filing Date Granted.
- A Certificate of Express Mail under 37 C.F.R. § 1.10.
- To render the Response timely filed, enclosed are the following:
  - Petition for a 0-Month Extension of Time; and
  - Check No. in the amount of \$0 to cover the fee for the extension of time.

The filing fee has been calculated as shown below.

			SMALL ENTITY	LARGE ENTITY
FOR	NO. FILED	NO. EXTRA	RATE	FEE
BASIC FEE				\$370      \$740
TOT. CLAIMS	-20=		X 9=	X 18=
IND. CLAIMS	-3=		X 42	X 84=
MULTIPLE DEPENDENT CLAIM			+140=	+280=
			<b>TOTAL</b>	<b>TOTAL</b>

- PTO 2038 Credit Card form in the amount of \$170.00 is enclosed to cover:
  - The \$0 government filing fee.
  - The \$40.00 recordation fee of the enclosed assignment.
  - The \$130.00 surcharge fee pursuant to 37 C.F.R. § 1.16(e).

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or to credit any overpayment to Deposit Account No. 23-3178.

- Any additional filing fees required under 37 C.F.R. § 1.16.
- Any patent application processing fees under 37 C.F.R. § 1.17.

The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-3178.

- Any filing fees under 37 C.F.R. § 1.16 for presentation of extra claims.
- Any patent application processing fees under 37 C.F.R. § 1.17.
- The issue fee set in 37 C.F.R. § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).
- A duplicate copy of this letter is enclosed.

Please address all future correspondence in connection with this case to the attention of the undersigned.

DATED this 9th day of August 2004.

Respectfully submitted,



ADRIAN J. LEE  
Attorney for Applicant  
Registration No. 42,785  
Customer No. 022913